

REMARKS

Claims 35-59 are currently pending in this application. Claims 35-59 are canceled, and new claims 60-78 are presented. Applicants respectfully submit that no new matter is added as support for the new claims exists in the specification and claims as originally filed.

The new claims are presented to clarify what is claimed, to place the claims in better form for U.S. prosecution, and to address the rejections raised in the Office Action. For the convenience of the Examiner, the chart below shows the new claim roughly corresponding to each rejected claim.

<u>Previous Claim</u>	<u>New Claim</u>
35	60
36	60
37	61
38	60
39	60
40	60
41	62
42	60
43	63
44	64
45	65
46	66
47	67
48	68
49	68
50	69
51	70
52	71
53	72
54-59	Canceled
New	73-78

Rejections under 35 U.S.C. § 112 ¶2

Claims 35-53 are rejected under 35 U.S.C. § 112 ¶2 as being indefinite for the reasons set forth in the Office Action at p. 3. Applicants have canceled these claims and respectfully submit

that this rejection should be withdrawn.

Rejection under 35 U.S.C. § 102(b)

Claims 35-53 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sakurai (EP 0721776). *See* Office Action at 3-6.

The present invention is generally directed to a process for modifying or treating the surface of a device by coating the surface with a complex coacervate core micelle composition comprising a block copolymer to render said surface protein-resistant.

According to the Office Action, Sakurai discloses “a block copolymer of polyethylene glycol (non-chargeable segment) and polyamino acid (chargeable segment), which is capable of providing an electrostatic bonding type macromolecular micelle drug carrier.” Office Action at 4.

Sakurai teaches electrostatic bonding-type macromolecular micelle drug carriers comprising block copolymers. Applicants respectfully submit that Sakurai does not teach modifying or treating the surface of a device to render the surface protein-resistant, nor does Sakurai disclose coating the surface of a device with a composition comprising at least one polymeric micelle. For at least these reasons, Sakurai does not anticipate the newly-presented claims.

Applicants note that Example 1 of Sakurai teaches a mixture of polylysine (polymer with cationic units) with a degree of polymerization of 20, and a block copolymer polyethyleneglycol (hydrophilic neutral block) - polyaspartic acid (polymer with 23 anionic units). Example 2 of Sakurai discloses a mixture of polyaspartic acid (comprising 20 anionic units) and a block copolymer PEG-polylysine (with 20 cationic units). With regard to claims 73-76 in particular,

Applicants respectfully submit that Sakurai does not teach the recited number of chargeable groups and/or monomeric units.

Finally, the processes of claims 77 and 78 are not taught by Sakurai because this reference does not disclose the recited second polymers. Applicants note that the polylysine and polyaspartic acid are not included in the recitation of homopolymers in claims 77 and 78.

Accordingly, Applicants respectfully submit that Sakurai does not anticipate the new claims and this rejection should be withdrawn.

CONCLUSION

Applicants respectfully submit that all claims are in condition for allowance. If any issues remain, Applicants request, as appropriate, the courtesy of a phone call to their counsel below.

Respectfully submitted,

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